

Senate File 2201 - Reprinted

SENATE FILE 2201
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3079)

(As Amended and Passed by the Senate February 25, 2014)

A BILL FOR

- 1 An Act relating to kidnapping, and providing penalties.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 710.3, Code 2014, is amended to read as
2 follows:

3 **710.3 Kidnapping in the second degree.**

4 1. Kidnapping ~~where the~~ in the second degree is any of the
5 following:

6 a. Where the purpose of the kidnapping is to hold the victim
7 for ransom ~~or where the~~.

8 b. Where the kidnapper is armed with a dangerous weapon
9 ~~is kidnapping in the second degree. Kidnapping in the second~~
10 ~~degree is a class "B" felony.~~

11 c. Where the victim of the kidnapping is under eighteen
12 years of age other than a kidnapping by a relative whose sole
13 purpose of the kidnapping is to assume custody of the victim.

14 2. For purposes of determining whether the person should
15 register as a sex offender pursuant to the provisions of
16 chapter 692A, the fact finder shall make a determination as
17 provided in section 692A.126.

18 3. Kidnapping in the second degree is a class "B" felony.

19 Sec. 2. Section 710.4, Code 2014, is amended to read as
20 follows:

21 **710.4 Kidnapping in the third degree.**

22 1. All other kidnappings are kidnappings in the third
23 degree. Kidnapping in the third degree is a class "C" felony
24 except as provided in subsection 2.

25 2. a. If a person is convicted of kidnapping in the third
26 degree and the person has a previous conviction for kidnapping,
27 the person is guilty of a class "B" felony.

28 b. In determining if a violation charged is a previous
29 conviction for purposes of criminal sentencing under this
30 subsection, a conviction in this state or under statutes
31 substantially corresponding to this section in another state,
32 or in a federal, military, tribal, or foreign court, shall be
33 counted as a previous conviction. A previous conviction also
34 includes a juvenile who has been adjudicated delinquent but
35 whose juvenile court records have been sealed under section

1 232.150, a juvenile prosecuted as an adult, and a person who
2 has received a deferred sentence or deferred judgment.

3 3. For purposes of determining whether the person should
4 register as a sex offender pursuant to the provisions of
5 chapter 692A, the fact finder shall make a determination as
6 provided in section 692A.126.